



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF 11632

ATTY.'S DOCKET: LAPIDOT=2

In re Application of:

LAPIDOT et al.

Appln. No.: 09/744,654

Filed: January 29, 2001

For: HEMATOPOIETIC CELL COMPOSITION
FOR USE IN TRANSPLANTATION

Conf. No.: 2645

Art Unit: 1632

Examiner: A. M. S. Wehbe

Washington, D.C.

December 2, 2003

RECEIVED

DEC 05 2003

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

TECH CENTER 1600/2900

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated July 2, 2003, of the Primary Examiner. The claims appealed are claims 1, 3-5, 10-21, 23-27, 33, 48, 49, and 53-116.

The item(s) checked below are appropriate:

☒ Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

☒ The fee has been calculated as shown below:

☐ \$330.00

☒ \$165.00 (small entity)

☐ Not required (fee paid in prior appeal)

☒ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

☐ First - \$ 55.00

☒ Second - \$210.00

☐ Third - \$475.00

☐ Fourth - \$740.00

month after time period set

Other Than Small Entity
Response Filed Within

☐ First - \$ 110.00

☐ Second - \$ 420.00

☐ Third - \$ 950.00

☐ Fourth - \$1480.00

month after time period set

☐ Less fees (\$) already paid for months extension of time on .

☐ A check in the amount of \$ is attached. (Check No.)

☒ Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 375.00.

☒ Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

12/03/2003 SDENB081 00000121 09744654

01 FC:2401
02 FC:2252

165.00 OP
210.00 OP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
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By:

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